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November 16, 2009

Hon. Edward M. Chen, Chief Magistrate Judge  
U.S. District Court, Northern District of California  
450 Golden Gate Ave., 16<sup>th</sup> Floor  
San Francisco, California 94102

Re: Karl L. Finley v. County of Marin, et al.  
U.S. District Court, Northern District of CA Case No. C 07-05922 THE

**Plaintiff's request for 3 day extension to file opposition to motion for summary judgment in light of sudden production of documents.**

Dear Chief Magistrate Judge Chen:

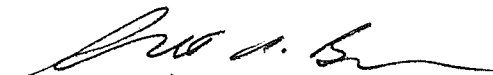
Plaintiff's opposition to defendant's motion for summary judgment is due tomorrow. This morning, at approximately 9:45 a.m., County Counsel's office hand served me with 149 documents (Bate stamp nos. 2136- 2285). A cursory review shows that many materials appear to be related to applications for the 2006 Nurse Manager position, which is at the heart of this lawsuit. These include Marsha Grant's application and credentials which are in dispute, as well as internal memorandums pertaining to budget cuts and the retention of panelist Jackie Clark. I anticipate these documents will create several triable issues of fact. However, it will be impossible for my client and me to review these documents in any detail before tomorrow's opposition deadline.

Approximately two hours ago, I telephoned Mr. Edward Kiernan of County Counsel. I left a voicemail, asking that he stipulate to extending plaintiff's deadline three days, pending court approval. I offered defendant three extra days to file a reply. No response has been forthcoming. In light of my time constraints, I have no choice but to approach the court directly and request this extension.

I will make myself available for a conference call this afternoon should you have any questions or comments. Thank you for your attention to this matter.

Very truly yours,

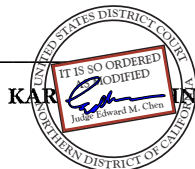
KAHN BROWN & POORE LLP

  
Scott A. Brown

cc: Edward Kiernan

IT IS SO ORDERED that plaintiff's opposition shall be filed by 11/19/09, and defendants' reply shall be filed by 11/25/09.

EDWARD M. CHEN  
U.S. Magistrate Judge



• SCOTT A. BROWN • DAVID M. POORE